

REMARKS

Status of the Claims

Claims 1-4 and 7-8 are pending in the present application. Claims 5-6 were previously canceled. Claims 7 and 8 are new. Support for new claims 7 and 8 is found throughout the application as originally filed including, *e.g.*, on page 9, lines 12-14. Further, the Examiner stated that support for the elements described in new claims 7 and 8, *i.e.*, 3 and/or 5×10^6 cells is supported by the present application on page 9. Accordingly, no new matter is entered by way of this amendment.

Applicants respectfully request consideration and entry of the response filed on May 18, 2009, and the amendment submitted herewith.

Advisory Action

Issues Under 35 USC 112, First Paragraph, Written Description (New Matter)

The Examiner stated in the Advisory Action dated June 8, 2009, that the phrase “wherein the cells increase to at least 1×10^6 cells” as specified in amended claim 1, submitted on May 18, 2009, introduces new matter. The Examiner further stated that the instant application supports 3 to 5×10^6 cells on page 9, but states that the instant application fails to support at least 1×10^6 cells. New claim 8 recites the language that the Examiner has noted as being supported. This claim would cover a primary culture step wherein the primary culture produces at least the claimed amount of cells.

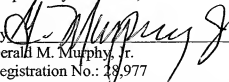
Applicants previously stated in the response filed May 18, 2009, that support for “at least 1×10^6 cells” is found on page 13, lines 15-16, of the originally filed application, which states that “[s]ubculture was carried out by seeding 1×10^6 of the primary cultured cells.” Applicants respectfully submit that this statement supports claim 1. Accordingly, no new matter is introduced by way of this amendment. Reconsideration is respectfully requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact L. Parker, Reg. No. 46,046 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Dated: June 17, 2009

Respectfully submitted,

By 
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